

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kalyana Sundram, et al.

Title: INCREASING THE HDL LEVEL
AND THE HDL/LDL RATIO IN
HUMAN SERIUM BY BALANCING
SATURATED AND
POLYUNSATURATED DIETARY
FATTY ACIDS

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TC 1700

9/11/02
4/4/3

Appl. No.: 09/828,448

Filing Date: 04/06/2001

Examiner: Carolyn A. Paden

Art Unit: 1761

INFORMATION DISCLOSURE STATEMENT

TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for the above-identified application please find:

- ☒ [X] Information Disclosure Statement (3 pages).
- ☒ [X] Form PTO/SB/08 (2 pages).
- ☒ [X] Copies of references (11 documents).
- ☒ [X] Communication Regarding Related Litigation (1 page).
- ☒ [X] A check in the amount of \$180.00.
- ☒ [X] Return postcard.
- ☒ [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be

enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 28 February 2003

By Wesley B. Ames

FOLEY & LARDNER

Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6714

Facsimile: (858) 792-6773

Wesley B. Ames

Attorney for Applicant

Registration No. 40,893

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COMMUNICATION REGARDING RELATED LITIGATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with MPEP 200106(c), U.S. Patent 5,843,497, which issued from the great-grandparent to the present application, is the subject of pending litigation in the United States District Court for the District of New Jersey, as Civ. No. 02-631 (JAG). The corresponding Complaint is listed on the Form PTO/SB/08 submitted herein, and a copy of the Complaint is provided.

Respectfully submitted,

Date 28 February 2003

By Wesley B. Ames

FOLEY & LARDNER
Customer Number: 30542

Wesley B. Ames
Attorney for Applicant
Registration No. 40,893



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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any

document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English, except Han, et al., 1991, Korean J. Food Sci. Technol. 23:465-470. An English language abstract is part of the Han reference and shows the relevance of the reference.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

A check for the fee due under 37 CFR 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

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